

*Approved December 2, 2014*

**Occupational Health & Safety Review Commission  
MINUTES OF THE September 25, 2014 MEETING**

The meeting of the New Mexico Occupational Health & Safety Review Commission was held on September 25, 2014 starting at 10:01 a.m. at the Marquez Plaza Building Training Room, 525 Camino de Los Marquez, Santa Fe, New Mexico.

**Item #1: Call to Order**

Chair Drennan called the meeting to order at 10:01 a.m.

**Item #2: Roll Call**

Members Present:

Mr. Bryan Drennan, Chair  
Mr. Brock Carter  
Mr. Arturo Archuleta

Others Present:

Wayne Bingham, Bingham, Hurst & Apodaca  
Gloria Otero, Otero Roofing Co.  
Pam Castañeda, NMED  
Billy Jimenez, NMED OGC

**Item #3: Approval of Agenda**

**ACTION: Mr. Carter made a motion to approve the Agenda. Mr. Archuleta seconded. Motion carried unanimously.**

**Item #4: Approval of the September 25, 2014 Meeting Minutes**

**ACTION: Mr. Archuleta made a motion to approve the minutes. Mr. Carter seconded. Motion carried unanimously.**

**Item #5 Deliberation and possible decision in the matter of NMED v. Otero & Sons Roofing, OSHA 13-024. The Commissioners may adjourn into Closed Executive Session to discuss this matter pursuant to Section 10-15-1(H)(3), NMSA 1978 of the Open Meetings Act.**

**ACTION: The Chair entertained a motion to go into Executive Session pursuant to Section 10-15-1(H)(3) of the Open Meetings Act to deliberate Case No. OSHA 13-024. Mr. Carter made a motion to go into Executive Session and Mr.**

**Archuleta seconded. The OHSRC entered into Executive Session and the recorder was turned off.**

**The OHSRC came back into open session at 10:11 am. The Chair then asked if there were any comments or requests from representation prior to the Commission taking any action. Billy Jimenez, representing the OSHA Bureau, stated that the Bureau had come across new information and had been in settlement discussions with opposing counsel and they were now making a request to have the opportunity to settle the matter outside of the proceedings. Mr. Bingham concurred and confirmed that the settlement agreement was that OSHA was going to withdraw the citation. The Chair then asked for a motion to accept the agreement. Mr. Carter made the motion to accept the agreement and Mr. Archuleta seconded. The motion carried unanimously.**

**Item #6      Other Business**

**None.**

**Item #7      Next Meeting**

**October 30, 2014 starting at 10 am.**

**Item #8      Adjournment**

**ACTION: Mr. Carter made a motion to adjourn. Mr. Archuleta seconded. Motion carried unanimously.**

**The meeting adjourned at 10:17 am.**

  
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**C. Bryan Drennan, OHSRC Chair**